

In the Recommendation, the Magistrate Judge suggests that under the authority of Manders v. Lee, 338 F.3d 1304 (11th Cir. 2003), no liability can attach to a county for the acts of a sheriff or his deputies. In this Court's view, the decision in Manders left open the possibility that in some circumstances a county may be liable for conduct of the sheriff or his deputies as it relates to the county jail, for example where the allegations against the county

involve denial of medical care and other basic necessities inside the jail. However, Plaintiff has not raised such allegations here. Moreover, as the Magistrate Judge noted, Plaintiff's complaint fails to allege any causal link between the allegations raised in his complaint and a custom or policy of the Bibb County Commission that would subject them to liability.

Therefore, the Court accepts the Recommendation except as noted in the foregoing. The Bibb County Sheriff's Department, the Bibb County Commission, and Sheriff Jerry Modena are hereby dismissed.

SO ORDERED, this the 10th day of January, 2007.

s/ **Hugh Lawson**
HUGH LAWSON, JUDGE

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